

Application No.: 10/562,647
Amendment and Response dated September 10, 2008
Reply to Office Action of June 18, 2008
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Amendments to the Drawings:

The attached sheets of drawings include changes to Fig. 3b and the presentation of Fig. 11. For the sheet which includes Fig. 3b, this sheet replaces the original sheet including Fig. 3b. In Fig. 3b on this sheet, previously omitted elements 9b and 9c have been added. The sheet containing Fig. 11 is a new sheet of drawings. No new matter is introduced with the introduction of Fig. 11

Attachment: Replacement Sheets 3 and 13

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Remarks/Arguments:

Introduction

Claims 1-5, 8-9, 11-21, 23, and 26-39 are pending. Claims 1, 19, 20 and 23 have been amended to overcome the alleged lack of a clear antecedent basis for "the plane". Further, these claims have been amended to clarify that the arm, slide and gripper are connected to the actuators by pulling elements, thereby further deviating from the subject matter disclosed in U.S. Patent No. 6,264,419 to Schinzel. Claims 5 and 6, and claims 23 and 24 respectively have been combined to respective single claims. Minor amendments to claims 2, 6, 9, 12, 14, and 24 are made to solve alleged deficiencies and to overcome clarity objections. Further, the claims have been non-narrowingly amended to place the claims in better conformance with standard U.S. practice. Claims 6, 7, 10, 22, 24, 25 have been canceled.

No new matter is introduced with these claim amendments. Entry of the claim amendments is respectfully requested.

Objections to the Drawings

The drawings were objected to as not showing elements 9b and 9c, which were described in the specification. Fig. 3b has been amended to include these elements. Entry of the replacement sheet presenting the changes to Fig. 3b is respectfully requested.

The drawings were also objected to as not showing a plurality of conveyors, as mentioned in claim 27. Fig. 11 has been added. Support of added Fig. 11 may be found in the Specification at page 13, lines 16-24. Entry of Fig. 11 is respectfully requested.

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Objections to the Specification

The Specification was objected to as referring to claim 1 in lines 33-37 at page 3 and to claims 1 and 30 in lines 24-30 at page 7. It is respectfully submitted that the Preliminary Amendment filed December 25, 2005 addressed these concerns raised by the examiner.

The specification was also objected to at page 8, line 36, in particular "5", and at page 9, line 18, in particular "6". The Specification has been amended where at page 8, line 36 the "5" has been amended to read "6a" and where at page 9, line 18, the "6" should read "4b".

Entry of the amendments to the Specification is respectfully requested.

For the convenience of the examiner Substitute Specifications (Clean Version and Version Showing Changes) are being filed herewith showing the amendments to the specification presented in this Amendment and Response and in the Preliminary Amendment filed December 25, 2005. These Substitute Specifications only present changes to the Specification, excluding the claim and the abstract sections of the application. No new matter is introduced with these Substitute Specifications in accordance with 36 C.F.R. § 1.125.

Section 112 Rejections

Claims 2, 17 and 25 are rejected under 35 U.S.C. § 112, first paragraph, as allegedly failing to comply with the written description. Claims 1-39 are rejected under 35 U.S.C. § 112, second paragraph, as allegedly being indefinite.

Applicant respectfully submits that with the amendments presented herewith, the Section 112 concerns are obviated. Reconsideration and withdrawal of the Section 112 rejections are respectfully requested.

Section 103 Rejections

Claims 1, 3, 4, 8-13, 19-22, 31, 32 and 34-37 were rejected under 35 U.S.C § 103(a) as allegedly being obvious over U.S. Patent No. 6,264,419 to Schinzel (hereinafter "Schinzel") in view of U.S. Patent No. 5,611,248 to Peltier (hereinafter "Peltier"), or *vice versa*. Claims 5-7, 23-25, 38 and 39 were rejected under 35 U.S.C § 103(a) as allegedly being obvious over Schinzel in view of Peltier, or *vice versa*, in further view of the gripper in U.S. Patent No. 5,271,292 to Sawada et al. (hereinafter "Sawada"). Claim 18 was rejected under 35 U.S.C § 103(a) as allegedly being obvious over Schinzel in view of Peltier, or *vice versa*, and in further view of the U.S. Patent No. 3,760,956 to Burch (hereinafter "Burch"). Claims 26 and 30 were rejected under 35 U.S.C § 103(a) as allegedly being obvious over Schinzel in view of Peltier, or *vice versa*, and in further view of the U.S. Patent No. 4,287,459 to Dahstrom (hereinafter "Dahstrom"). Claim 27 was rejected under 35 U.S.C § 103(a) as allegedly being obvious over Schinzel in view of Peltier, or *vice versa*, and in further view of the U.S. Patent No. 6,540,063 to Fallas et al. (hereinafter "Fallas"). Applicant respectfully traverses.

Independent claims 1, 19 and 20 are rejected as allegedly being unpatentable over Schinzel in view of Peltier, or *vice versa*. Schinzel, however, discloses that its actuator (8) for driving movement of the gripper (14) in the Z-direction and is connected to the gripper (14) by a bar (3), and not by a pulling element. Furthermore, the actuator for driving the Z-direction of the gripper in Schinzel is provided on the slide that is movable in the X-direction, whereas in the present invention the actuator is located on the stationary base. The latter has the advantage that less weight has to be moved (less inertia) and that a quicker movement can be achieved. Peltier does not disclose movement of the gripper in the Z-direction at all. Therefore, independent claims 1, 19, and 20 are patentably distinct over both documents. Further, it is not obvious in view of these applied references to connect the gripper to the actuator by a pulling element, as such a feature is not disclosed, taught or suggested in either of these applied references. The connection of the gripper to the actuator by a pulling element allows the placement of the actuator on the base, which is more difficult with a bar as connection.

Thus, independent claims 1, 19 and 20 are patentably distinct over Schinzel and Peltier, individually or in any combination. Therefore, reconsideration and withdrawal of the rejections under 35 U.S.C § 103(a) of independent claims 1, 19 and 20, and all claims dependent therefrom, are respectfully requested.

Independent claim 23 is rejected as allegedly being unpatentable over Schinzel in view of Peltier and further in view of Sawada. Sawada, however, fails to cure the deficiencies of Schinzel and Peltier as discussed above in conjunction with the observations for claims 1, 19 and 20. Accordingly, independent claim 23 is patentably distinct over all three of the applied references, and it is respectfully submitted that, *inter alia*, it is not obvious in view of these applied references to connect the gripper to the actuator by a pulling element.

It is noted that the gripper is situated in a plane extending in the second and third direction and intersecting the central longitudinal axis of the arm, which has the advantage that no torsional load is applied to the arm, so that a lighter construction of the arm will suffice. (See for instance Specification at page 4, lines 4-7). The problem of torsional load is not addressed in any of the applied references. Although Schinzel shows a gripper that extends in the centre of the arm, Schinzel also shows a different driving structure for the gripper, in which the actuator (8) is moveable on the carriage (1). So even if one of ordinary skill in the art would take over the "centra" position of the gripper, he would not think of modifying the driving structure. Therefore, the subject matter of the independent claims are not obvious to one of ordinary skill in the art.

Thus, independent claim 23 is patentably distinct over Schinzel, Peltier and Sawada, individually or in any combination. Therefore, reconsideration and withdrawal of the rejection under 35 U.S.C § 103(a) of independent claim 23, and all claims dependent therefrom, are respectfully requested.

Moreover, Burch, Dahstrom and Fallas, individually or in combination, fail to cure the deficiencies of Schinzel, Peltier and Sawada, individually or in any combination.

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Thus, claims 1-5, 8-9, 11-21, 23, and 26-39 are patentably distinct over the applied references.

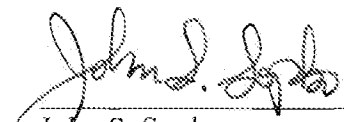
Summary

Therefore, Applicants respectfully submit that claims 1-5, 8-9, 11-21, 23, and 26-39 are patentably distinct. This application is believed to be in condition for allowance. Favorable action thereon is therefore respectfully solicited.

Should the Examiner have any questions or comments concerning the above, the Examiner is respectfully invited to contact the undersigned attorney at the telephone number given below.

The Commissioner is hereby authorized to charge payment of any additional fees associated with this communication, or credit any overpayment, to Deposit Account No. 08-2461. Such authorization includes authorization to charge fees for extensions of time, if any, under 37 C.F.R. § 1.17 and also should be treated as a constructive petition for an extension of time in this reply or any future reply pursuant to 37 C.F.R. § 1.136.

Respectfully submitted,

A handwritten signature in dark ink, appearing to read "John S. Sopko", is written over a horizontal line.

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